

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

JAMES EDWARD GRANT,

Plaintiff,

v.

JEFF TWING, MADISON POLICE DEPARTMENT,
MILWAUKEE POLICE DEPARTMENT,
MILWAUKEE COUNTY, STATE OF WISCONSIN,
and MILWAUKEE HOUSE OF CORRECTIONS,

Defendants.

OPINION and ORDER

19-cv-632-jdp

Plaintiff James Edward Grant, appearing pro se, has filed a document that he calls a “Motion for New Complaint,” Dkt. 1, in which he states that he was unlawfully arrested in Madison and sent to the Milwaukee County House of Correction. He also says that he “has claims, allegations and/or assertions of food poisoning.” *Id.* at 2.

Under the terms of sanctions issued by this court, Grant generally remains barred from proceeding with new cases until he pays off the large debt he owes for filing fees for the cases and appeals he previously filed. The only case-initiating documents he may file are habeas corpus petitions and complaints in which he alleges that he is in imminent danger of serious physical harm. *See Grant v. Gill*, No. 15-cv-420-jdp, 2016 WL 80676 (W.D. Wis. Jan. 7, 2016). Grant styles this case as a complaint, not a petition for writ of habeas corpus, and he seeks money damages, which are not allowed in habeas actions. So I will treat this action as a civil complaint and dismiss it because it does not fall within either of the allowed categories of case-initiating documents he may file.

In different circumstances, I might treat an allegation of food poisoning as an allegation that the plaintiff is in imminent danger of serious physical harm. But Grant is already barred

from making vague allegations of food poisoning, after he did so in this court without substantiating those allegations. *See Grant v. Maggle*, No. 14-cv-78-bbc, at *2–3 (W.D. Wis. Mar. 19, 2014).

ORDER

IT IS ORDERED that this case is DISMISSED. The clerk of court is directed to enter judgment for defendants and close this case.

Entered August 13, 2019.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge